IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RFA No. 1562 of 2005 (O&M)
Date of Decision: 16.4.2007

Shyam Dutt and others ....Appellants

Versus

State of Haryana ....Respondent

Coram: Hon'ble Mr. Justice Hemant Gupta.

Present: Shri Lokesh Sinhal, Advocate, for the appellants.

Shri Sidharth Sarup, AAG, Haryana.

HEMANT GUPTA, J.

The present appeal is directed against the award passed by the learned Additional District Judge, Faridabad in a reference under Section 18 of the Land Acquisition Act, 1894, on 22.1.2005.

Land measuring 184.27 acres was acquired by the State of Haryana by way of a notification under Section 4 of the Act on 8.5.1995 for a public purpose. The award was announced by the Land Acquisition Collector on 30.4.1998. Dissatisfied with the aforesaid award, the appellants sought reference under Section 18 of the Act and the learned reference Court has awarded compensation @ Rs.400/- per square yard. Still dissatisfied, the appellants have filed the present appeal under Section 54 of the Act, claiming the enhanced amount of compensation.

The appellants have moved an application bearing CM No. 11049-CI of 2006 for disposal of the present appeal in terms of the order passed by this Court on 3.5.2006 in RFA No. 2501 of 2001 (Vedpal

and others Vs. State of Haryana and others), wherein in respect of the same acquisition, the compensation was assessed at Rs.500/- per square yard.

Learned counsel for the respondent admits that in respect of the same acquisition, the compensation has been assessed at Rs.500/- per square yard in the aforesaid case. Therefore, the matter in issue is squarely covered by the said judgment.

In view of the above, the present appeal is decided in the same terms as in RFA No. 2501 of 2001 (Vedpal Vs. State of Haryana and others) decided on 3.5.2006.

16-04-2007 (HEMANT GUPTA)
ds JUDGE